

FROM W&C LLP 19TH FL.

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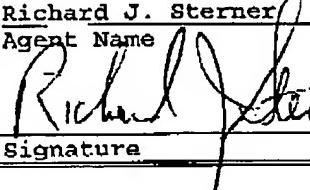
1103326-0527-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Berg, et al.  
Serial No. : 10/807,918  
Filed : March 24, 2004  
For : SUBSTITUTED INDAN DERIVATIVES  
Examiner : Emily B. Bernhardt  
Group Art Unit : 1624

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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below at the facsimile number <u>571-273-8300</u> .	
Richard J. Sterner Agent Name 	35,372 PTO Reg. NO. April 3, 2006 Date of Signature
Signature	Date of Signature

Attn: Examiner Emily B. Bernhardt  
Art Unit: 1624  
Facsimile No.: 571-273-8300  
No. of pages: 2

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the decision dated October 3, 2005 of the

04/04/2006 TL0111 00000000 231703 10807918  
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NYWYORK 5521864 v1 (5521864\_1.DOC) (210)

PAGE 1/2 \* RCVD AT 4/3/2006 4:55:49 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/18 \* DNIS:2738300 \* CSID:2128197583 \* DURATION (mm:ss):01:06

FROM W&C LLP 19TH FL.

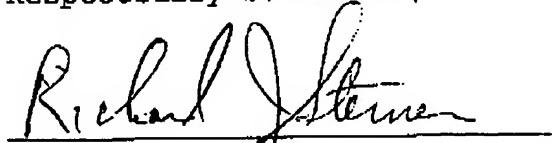
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Primary Examiner finally rejecting claims 1, 2, 4-15, 17-19, 21, 30, 31 and 33. The Commissioner is hereby authorized to charge the \$500 fee required for filing a Notice of Appeal to Deposit Account No. 23-1703.

In a separate communication, submitted concurrently herewith, Applicants have requested an extension of time for response to the outstanding Office Action and have authorized payment of the appropriate fee. The Commissioner is hereby authorized to charge any other fees which may be due for any reason in connection with this communication to Deposit Account No. 23-1703.

Dated: April 3, 2006

Respectfully submitted,

  
\_\_\_\_\_  
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